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CERTIFIED MAIL P-545 546 603
RETURN RECEIPT REQUESTED

Re: SCP-Carlstadt Site, Administrative Orders Nos. II-CERCLA-50114 and II-CERCLA-60102

At a meeting on November 21, 1988 with Bruce Jernigan of the PRP Technical Committee, it was agreed that the On-Site Source Control Feasibility Study Report would be completed and submitted to the Environmental Protection Agency ("EPA") by no later than April 1, 1989. It was also agreed that the Technical Committee would submit a detailed proposal outlining the work necessary to complete the Operable Unit I FS ("the FS completion proposal") by December 2, 1988. EPA made it clear the timely submittal of the plan would be necessary to demonstrate the Technical Committee's commitment to complete the Operable Unit I FS.

Deficient and Incomplete Documents Submitted

EPA is concerned that the completion of the Operable Unit I FS is continuing to be managed without sufficient foresight or detailed planning. You will recall that in a letter, dated November 9, 1988 EPA requested that the Technical Committee submit to EPA a detailed proposal delineating all work necessary to complete the FS. EPA expected to receive the Technical Committee's FS completion proposal by December 1, 1988. EPA extended the date to December 2, 1988 in a meeting on November 21, 1988. As you will recall on December 2, 1988, EPA and the New Jersey Department of Environmental Protection ("NJDEP") met with you, ERM and other members of the Technical Committee. At that meeting ERM verbally presented the FS completion proposal. The written proposal was not received at EPA until December 19, 1988.

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EPA informed you at the meeting on December 21, 1988 that the plan seemed deficient. In particular, EPA noted that the section outlining the treatability studies lacked details such as how samples would be collected, performance standards for each treatability test, and technology specific objectives as well as other critical details. EPA requested that such details be provided immediately. You assured EPA that ERM would provide EPA with the details for the treatability studies well in advance of the next scheduled meeting on January 5, 1989. EPA did not receive the "Treatability Study Sampling Plan" and the "Scope of Treatability Studies" plan until January 4 (after 5 p.m.) and January 5, 1989, respectively.

At the January 5, 1989 meeting (and after an immediate review of the submitted documents) EPA again expressed concern that details critical to the treatability study plan were still missing from ERM's proposal. EPA again explained that such information must be presented before initiating the treatability studies; studies conducted without first delineating testing specifics (parameters to be analyzed for before and after treatment, analytical methods and procedures, laboratory participation in the Contract Laboratory Program etc.) will yield inconclusive and/or uninterpretable data.

Once again you assured EPA that the details that EPA has been requesting and which should have been included in the original FS completion proposal would be provided to EPA by January 6, 1989. EPA was not contacted by ERM until after 5 p.m., January 6, 1989. EPA received additional information on January 9, 1989; however, the submittal is incomplete and deficient and still lacks specifics, such as laboratory methods. In fact, some of the information provided on January 9, 1989 is inconsistent with the January 5, 1989 submittal.

Treatability Study Schedule

With regard to the schedule which was included in the FS completion proposal, it appears that you are already behind schedule -- ERM should have completed sample collection by Monday, December 26, 1988. However, in a letter received at EPA on Wednesday, December 28, 1988, the Technical Committee, through its counsel, raised an issuing concerning the shipment of samples. The issue was resolved on January 5, 1989. While the issue needed to be resolved, to raise the issue after sampling should have commenced instead of during the planning stages of the treatability studies is indicative of a serious lack of foresight and planning. The Technical Committee should have alerted EPA of the issue in November when the FS completion proposal was being developed and not a few days before ERM intended to initiate sampling.

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As you are aware, EPA warned the Technical Committee (by letter dated November 30, 1988) that EPA would not tolerate further delay of the completion of the Operable Unit I FS. However, the performance of the Technical Committee over the past month indicates that the project is not proceeding in a timely manner and continues to be managed poorly and in an unplanned and unfocused manner.

EPA urges the Technical Committee to take the necessary steps to ensure that all outputs critical to the satisfactory completion of the Operable Unit I FS report by April 1, 1989 are submitted in a timely and complete manner.

If you have any questions regarding the content of this letter, please contact Janet Feldstein or James Schmidtberger of my staff at (212) 264-2646.

Sincerely yours,

Raymond Basso, Chief
New Jersey Compliance Branch

cc: Thomas Armstrong, General Electric
William Warren, Esq.
Pamela Lange, NJDEP

bcc: J. Rooney, ORC-NJSUP
J. Schmidtberger, ERRD-NNJCS

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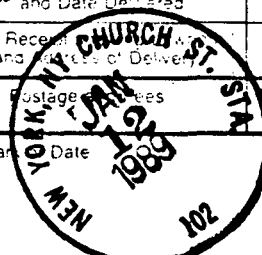
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